

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATEDDate of filing in State Engineer's Office AUG 08 1994

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUL 22 1994 under 60238TThe applicant Battle Mountain Gold CompanyPost Office Box 1627

Street and No. or P.O. Box No.

of

Battle Mountain,

City or Town

Nevada 89820-1627

State and Zip Code No.

hereby make application for permission to change the

Point of Diversion and Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under a portion of Permit No. 55680

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is Underground Well A-0
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.11 cfs - 13.14 MGA
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Mining, Milling and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Mining, Milling and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, T31N, R43E, MDM or at a
Describe as being within a 40-acre subdivision of public survey and by course and
point from which the Southeast corner of said Section 27 bears, S 54° 39' 58"
distance to a section corner. If on unsurveyed land, it should be stated.
W a distance of 1913.89 feet
6. The existing permitted point of diversion is located within NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, T31N, R44E, MDM or
If point of diversion is not changed, do not answer.
at a point from which the North one-quarter corner of said Section 4 bears, N
31° 44' 50" E a distance of 1597.10 feet
7. Proposed place of use NE $\frac{1}{4}$ Section 34, T31N, R43E, MDM
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use Section 4, T31N, R44E, MDM; Sections 28, 29, 32 and 33, T32N,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
R44E, MDM
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drill well, install pump and motor, pipeline
State manner in which water is to be diverted, i.e. diversion structure.
and storage tank.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$50,000.00
13. Estimated time required to construct works One Year

14. Estimated time required to complete the application of water to beneficial use Five Years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This application changes a portion of Permit No. 55680 to be used for the new Mining Administration Office Building. The estimated use is 13.14 million gallons annually. This will be a separate water system and not connected to the Battle Mountain Gold main water system. See Map filed under Permit 55680 for Existing Point of Diversion and Existing Place of Use. See Map filed under 60238T for Proposed Point of Diversion and Proposed Place of Use.

By s/Richard W. Arden Agent
950 Industrial Way
Sparks, Nevada 89431

Compared bc/bc cl/bk

Protested _____

APPROVAL
 OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 55680 is issued subject to the terms and conditions imposed in said Permit 55680 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.11 cubic feet per second, but not to exceed 40.3 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before November 12, 1996

Proof of completion of work shall be filed before December 12, 1996

Application of water to beneficial use shall be made on or before November 12, 1997

Proof of the application of water to beneficial use shall be filed on or before December 12, 1997

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JAN 07 1997

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 3rd day of May

A.D. 19 96

R. Michael Turnipseed P.E.
 State Engineer

(PERMIT TERMS CONTINUED)

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.